

## **REMARKS**

Claims 11-14 and 27-56 are pending in the application. The Examiner objects to claim 30. Claims 11-14 and 27-56 stand rejected. The drawings are objected to. The claims are amended, and no new matter is added. Formal drawings are submitted herewith. The Examiner's objections and rejections are addressed below in substantially the same order as in the office action.

### **REJECTIONS UNDER 35 USC § 102**

Claims 11-14, 27, 30-32 and 40-47 are rejected under 35 USC § 102(e) as being anticipated by Bary et al. (US 5,822,273).

Claim 13 is canceled without prejudice.

Independent claim 11 is amended to include each sensor being adapted to control a channel assignment and a time slot for transmitting the signals. Independent claim 11 is further amended to clarify that the language in the element relating to the base station.

Independent method claim 12 is amended to include "using the sensors to control a channel assignment and a time slot for transmitting the data."

Independent claim 14 is amended to include each sensor station being adapted to control a channel assignment and a time slot for transmitting the signals.

Applicant respectfully submits that the art of record, alone or in combination, does not teach or suggest seismic sensors or sensor stations controlling channel assignment and time slots for transmitting signals as claimed in respective claims 1 and 14 or the method of using a sensor to control a channel assignment and time slot for transmitting signals as claimed in claim 12. Consequently, Applicant submits that independent claims 11, 12 and 14 are not anticipated by the cited art. Furthermore, Applicant submits that the claims are not obvious in view of any art of record, either taken alone or in combination.

Applicant submits that pending claims 27 and 30-32 having independent claim 11 as a base claim are allowable for at least the same reasons as the base claim 1.

Applicant appreciates that examiner has rejected independent claim 14 over Bary et al. alone, but it appears that the rejections of dependent claims 40-47 as being anticipated by a combination of Bary et al. and Longaker is an improper rejection under 35 UCS 102. Applicant also appreciates that the Examiner has rejected independent claim 14 in view of Longaker alone. Applicant submits that rejected claims 40-47 are not anticipated by either Bary et al. or Longaker individually. Applicant further submits that the combination of the references does not render the claims obvious, because the proposed combination does not teach or suggest the combination of elements as arranged in the claims to the extent that one skilled in the art could practice the invention without the Applicant's disclosure.

Claims 14, 36-39 and 48-49 are rejected under 35 USC § 102(e) as being anticipated by Longaker (US 6,226,601).

Independent claim 14 is amended to include each sensor station being adapted to control a channel assignment and a time slot for transmitting the signals. Applicant respectfully submits that the art of record, alone or in combination, does not teach or suggest seismic sensor stations controlling channel assignment and time slots for transmitting signals. Consequently, Applicant submits that claim 14 is not anticipated by the cited art. Furthermore, Applicant submits that the claim is not obvious in view of any art of record, either taken alone or in combination.

Applicant submits that pending claims 36-39 and 40-49 having independent claim 14 as a base claim are allowable for at least the same reasons as the base claim.

### **REJECTIONS UNDER 35 USC § 103**

Claims 28-29 and 35 stand rejected under 35 USC § 103(a) as being unpatentable over Bary et al. (US 5,822,273). Applicant respectfully submits that these rejected dependent claims are allowable for at least the same reasons as the base claim 11 discussed above.

Claim 33 is rejected under 35 USC § 103(a) as being unpatentable over Bary et al. (US 5,822,273) in view of Light et al. (US 5,930,293). Applicant respectfully submits that the rejected dependent claim is allowable for at least the same reasons as the base claim 11 discussed above.

Claim 34 is rejected under 35 USC § 103(a) as being unpatentable over Bary et al. (US 5,822,273) in view of Light et al. (US 5,930,293) as applied to claim 11 above, and further in view of Savit (US 4,066,993). Applicant respectfully submits that the rejected dependent claim is allowable for at least the same reasons as the base claim 11 discussed above.

Claim 50 is rejected under 35 USC § 103(a) as being unpatentable over Bary et al. (US 5,822,273) in view of Longaker et al. (US 6,226,601). Applicant respectfully submits that the

rejected dependent claim is allowable for at least the same reasons as the base claim 12 discussed above.

Claims 51-52 and 54-56 stand rejected under 35 USC § 103(a) as being unpatentable over Bary et al. (US 5,822,273) in view of Schneider (US 6,240,094). Applicant respectfully submits that these rejected dependent claims are allowable for at least the same reasons as the base claim 12 discussed above.

Claim 53 is rejected under 35 USC § 103(a) as being unpatentable over Bary et al. (US 5,822,273) in view of Mahany (US 5,696,903). Applicant respectfully submits that the rejected dependent claim is allowable for at least the same reasons as the base claim 12 discussed above.

### **CLAIM OBJECTIONS**

Claim 30 is objected to because of the following informalities: line 2 reads "signaling and status bits, seismic information and guard time", should be "signaling and status bits, or seismic information and guard time". Applicant has amended the claims to correspond to Figure 4, which shows that each time slot includes a signaling bit, a status bit, seismic information, and guard time. Consequently, Applicant requests that the objection be withdrawn.

### **OBJECTIONS TO THE DRAWINGS**


The drawings filed on July 23, 1999 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftsperson Patent Drawing Review, " PTO-948. Formal drawings are submitted to replace the previously-filed informal drawings. The formal drawings correct the matters addressed by the official draftsman. Applicant respectfully submits that the formal drawings remove the basis of the objection.

**CONCLUSION**

For all the foregoing reasons, Applicant submits that the application is in a condition for allowance. No fee is believed due for this paper. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. **13-0010 (IO-1036US)**.

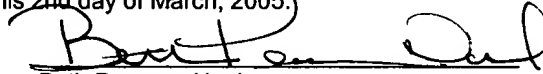
Respectfully submitted,

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I do hereby certify that this correspondence is being transmitted via facsimile, to the Commissioner for Patents, Examiner Eliseo Ramos Feliciano, facsimile no. (703) 872-9306, on this 2nd day of March, 2005.

  
Beth Pearson-Naul